

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

THOMSON REUTERS ENTERPRISE)	
CENTRE GMBH and WEST PUBLISHING)	
CORPORATION,)	
)	C.A. No. 20-613-SB
Plaintiffs/Counterdefendants,)	
)	JURY TRIAL DEMANDED
v.)	
)	
ROSS INTELLIGENCE INC.,)	PUBLIC VERSION
)	
Defendants/Counterclaimant.)	

**DEFENDANT’S OBJECTIONS TO EVIDENCE OFFERED IN SUPPORT OF
DEFENDANT’S OPPOSITION TO PLAINTIFFS’ MOTION FOR PARTIAL
SUMMARY JUDGMENT (NO. 2) ON TORTIOUS INTERFERENCE (D.I. 251, 252)**

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10570457 / 20516.00001

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Defendant ROSS Intelligence, Inc. hereby submits these Objections to Evidence Offered in Support of Defendant's Opposition to Plaintiffs' Motion for Partial Summary Judgment (No. 2) on Tortious Interference (D.I. 251, 252). A party may object to material cited in support of a motion which "cannot be presented in a form that would be admissible in evidence." Fed. R. Civ. P. 56(c)(2); *Pamintuan v. Nanticoke Mem. Hosp.*, 192 F.3d 378, 387 n.13 (3d Cir. 1999); *Smith v. City of Allentown*, 589 F.3d 684, 693 (3d Cir. 2009). ROSS objects to the following:

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
D.I. 255-1, Ex. 15	D.I. 252 at 4.	Deposition of Tomas van der Heijden (Mar. 17, 2022)	<p>Foundation. Plaintiffs rely on this testimony to establish [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] n Ex 72. The attachment to the email, [REDACTED], was not produced at the deposition.</p> <p>Mischaracterizes Testimony. Plaintiffs rely on this testimony to establish [REDACTED]</p> <p>[REDACTED]</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>[REDACTED]</p> <p>(Declaration of Jacob Canter in Support of Defendant's Oppositions to Motions for Summary Judgment ("Canter Decl."), Ex. 74), [REDACTED]</p> <p>[REDACTED]</p>	
D.I. 255-1, Ex. 22, ¶¶ 81–83, 89–90.	D.I. 252 at 8.	Opening Expert Report of Dr. Jonathan Krein (Aug. 1, 2022)	<p>Improper Expert Opinion. Plaintiffs rely on Krein's report to establish facts regarding [REDACTED]. An expert is permitted to offer their opinion, they cannot be used to establish the underlying facts. <i>See</i> FRE 702.</p>	<p>Sustained _____</p> <p>Overruled _____</p>
D.I. 255-3, Ex. 24, at 21, 53	D.I. 252 at 18-19.	Opening Report of James Malackowski, (Aug. 1, 2022)	<p>Improper Expert Opinion. Plaintiffs rely on Malackowski's</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			report to [REDACTED] [REDACTED] (Ex. 24 at 21) [REDACTED] (Ex. 24 at 53). An expert is permitted to offer their opinion, they cannot	
D.I. 255-3, Ex. 34	D.I. 252 at 8.	R-LEGALEASE-00048772 (LegalEase-Morae Global SOW)	Misstates the Document. Plaintiffs rely on this document to establish [REDACTED] [REDACTED] This document only establishes that [REDACTED] [REDACTED]	Sustained _____ Overruled _____
D.I. 255-4, Ex. 45	D.I. 252 at 6-7	ROSS-000304769 (email from LegalEase to ROSS),	Foundation. Plaintiffs rely on this document to establish [REDACTED] [REDACTED] This exhibit however, [REDACTED] [REDACTED]	Sustained _____ Overruled _____

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>[REDACTED]</p> <p>Plaintiffs do not cite to the SOW [REDACTED]</p> <p>Accordingly, this exhibit lacks the necessary foundation.</p> <p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p> <p>This document [REDACTED]</p>	
D.I. 255-4, Ex. 50	D.I. 252 at 12-13	ROSS-003390563 (email between Thomson Reuters and ROSS).	<p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p>	<p>Sustained _____</p> <p>OVERRULED _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>[REDACTED] This document, however,</p> <p>[REDACTED]</p>	
D.I. 255-4, Ex. 51	D.I. 252 at 4.	ROSS-003390772 (email between ROSS and Dentons)	<p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p> <p>[REDACTED] This document however, only contains a [REDACTED]</p>	<p>Sustained _____</p> <p>Overruled _____</p>
D.I. 255-4, Ex. 55	D.I. 252 at 3	ROSS-003391076 (ROSS email chain).	<p>Misstates the Document. Plaintiffs rely on this document to establish that [REDACTED]</p> <p>[REDACTED]</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>[REDACTED]</p> <p>This exhibit however, [REDACTED]</p> <p>[REDACTED]</p>	
D.I. 255-4, Ex. 60	D.I. 252 at 5.	ROSS-003610162 (email chain between ROSS and Vezarto legal).	<p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p> <p>[REDACTED]</p> <p>This exhibit however, [REDACTED]</p> <p>[REDACTED]</p> <p>(emphasis added).</p>	<p>Sustained _____</p> <p>Overruled _____</p>
D.I. 255-4, Ex. 65	D.I. 252 at 15.	ROSS-009727514 (ROSS slack message).	<p>Misstates the Document. Plaintiffs rely on this document to establish that [REDACTED]</p> <p>[REDACTED]</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>This exhibit</p> <p>[REDACTED]</p>	
D.I. 255-4, Ex. 68	D.I. 252 at 5, 13, 16,	ROSS-010164290 (email chain between ROSS and LegalEase).	<p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p> <p>[REDACTED]</p> <p>This exhibit, however, establishes [REDACTED]</p> <p>[REDACTED]</p> <p>and [REDACTED]</p>	<p>Sustained _____</p> <p>Overruled _____</p>
D.I. 255-4, Ex. 72	D.I. 252 at 4, 13.	ROSS-023032254 (email chain between ROSS and Dentons).	<p>Foundation. Plaintiffs rely on this document to establish [REDACTED]</p> <p>[REDACTED]</p> <p>This exhibit, however, is [REDACTED]</p> <p>[REDACTED]</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>[REDACTED]</p> <p>Plaintiffs however did not include this attachment as an exhibit to the MSJ. Accordingly, this exhibit lacks the necessary foundation.</p> <p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p> <p>[REDACTED]</p> <p>This exhibit however [REDACTED]</p> <p>[REDACTED]</p>	
D.I. 255-7, Ex. 86	D.I. 252 at 11.	TR-0038826 (Plaintiffs' spreadsheet).	<p>Authentication. Lacks evidence sufficient to support a finding that the document is what Plaintiffs say it is. <i>See</i> FRE 901, 902.</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>Foundation. Lacks evidence sufficient to support a finding that a witness has personal knowledge about the contents of this documents. <i>See</i> FRE 602.</p> <p>Misstates the Document. Plaintiffs rely on this document to establish [REDACTED]</p> <p>This exhibit, however, appears to be a spreadsheet [REDACTED]</p>	
D.I. 255-11, Ex. 103	D.I. 252 at 19.	TR-0836004 (Plaintiffs' spreadsheet purporting to show LegalEase usage)	<p>Foundation. Plaintiffs claim that this document reflects [REDACTED]. Nowhere is that established.</p>	<p>Sustained _____</p> <p>Overruled _____</p>

Exhibit No.	Page Number Citation	Document Description	Grounds for Objection	Ruling
			<p>Misstates the Document. Plaintiff rely on this document to establish [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED] This document, however, only shows [REDACTED]</p> <p>[REDACTED]</p>	

ROSS respectfully requests that the Court sustain the above objections under Fed. R. Civ. P. 56 and exclude the proffered evidence.

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Respectfully submitted,

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